

DISCOVERY PLAN WORKSHEET

Phase I (Pre-Settlement Discovery)

Deadline for completion of Rule 26(a) initial disclosures and HIPAA-compliant records authorizations:	Feb 3, 2021
Completion date for Phase I Discovery as agreed upon by the parties: <i>(Reciprocal and agreed upon document production and other discovery necessary for a reasoned consideration of settlement. Presumptively 60 days after Initial Conference.)</i>	Apr 5, 2021
Date for initial settlement conference: <i>(Parties should propose a date approximately 10-15 days after the completion of Phase I Discovery, subject to the Court's availability)</i>	Apr 19, 2021

Phase II (Discovery and Motion Practice)

Motion to join new parties or amend the pleadings: <i>(Presumptively 15 days post initial settlement conference)</i>	Mar 10, 2021
First requests for production of documents and for interrogatories due by: <i>(Presumptively 15 days post joining/amending)</i>	Mar 17, 2021
All fact discovery completed by: <i>(Presumptively 3.5 months post first requests for documents/interrogatories)</i>	May 12, 2021
Exchange of expert reports completed by: <i>(Presumptively 30 days post fact discovery)</i>	Jun 16, 2021
Expert depositions completed by: <i>(Presumptively 30 days post expert reports)</i>	Jul 14, 2021
COMPLETION OF ALL DISCOVERY BY: <i>(Presumptively 9 months after Initial Conference)</i>	NOVEMBER 3, 2021
Final date to take first step in dispositive motion practice: <i>(Parties are directed to consult the District Judge's Individual Rules regarding such motion practice. Presumptively 30 days post completion of all discovery)</i>	Dec 3, 2021
Do the parties wish to be referred to the EDNY's mediation program pursuant to Local Rule 83.8?	Respectfully request to revisit this issue at initial settlement conf.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JAY SOSA,

Plaintiff,

- against -

BARRY MICHAEL KATZMAN, M.D., and
KATZMAN ORTHOPEDICS P.C.,

Defendants.
-----X

CASE NO. 2:20-cv-05461-JS-ST

**JOINT
DISCOVERY PLAN**

The parties by their counsel, having met and conferred pursuant to Fed. R. Civ. P. 26(f), propose the following discovery plan:

1. Discovery is required on all aspects of Plaintiff's claim of medical malpractice, including liability, causation, and damages.
2. Initial disclosures shall be completed prior to the conference of February 3, 2021.
3. Initial written discovery shall be served by February 17, 2021.
4. Maximum of 25 interrogatories by each party to the other party.
5. Maximum of 2 fact depositions to be taken by each party.
6. Motions to amend or add parties to be filed by March 10, 2021.
7. Responses to written discovery shall be served by March 17, 2021.
8. Plaintiff's deposition shall be completed on or before March 31, 2021.
9. Defendant's medical examination of Plaintiff shall be completed by April 14, 2021.
10. Defendant's deposition shall be completed on or before May 12, 2021.
11. Parties shall exchange expert disclosures on or before June 16, 2021.
12. Expert depositions shall be completed by July 14, 2021.

13. Discovery to be complete by July 28, 2021.

14. Dispositive motions to be served within 60 days of completion of discovery.

Dated: January 21, 2021

New York, NY



Charles E. Kutner (CK8360)
KUTNER FRIEDRICH, LLP
Counsel for Defendants

950 Third Ave, 11th Floor
New York, NY 10022
(212) 308-0210



Ran Mukherjee (RM8436)
RAN MUKHERJEE, P.C.
Of-Counsel to James Greenberg, for Plaintiff

233 Broadway, Suite 900
New York, NY 10279
(646) 998-4240